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DEPARTMENT FOR G/TIP, EUR/PGI, AND EUR/NB

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SUBJECT: FINLAND: UPDATE ON TRAFFICKING-IN-PERSONS; FINLAND
RELEASES LONG-AWAITED NATIONAL ACTION PLAN

REF: A. HELSINKI 00274

1B. HELSINKI 00353

Summary

11. (U) This supplemental report provides additional information about trafficking and Finland, in particular Finland's newly released National Action Plan, which centers on victim assistance. The 66-page plan was released on March 31. An English language translation of the entire plan is expected in the near future, but this cable summarizes many of the key points. We also address various questions post received from EUR and G/TIP after Ref A was submitted. End Summary.

Finland's New National Action Plan

12. (U) Foreign Minister Erkki Tuomioja unveiled Finland's new National Action Plan (NAP) to combat trafficking-in-persons on March 31. Speaking at a televised press conference before Finland's national press, and flanked by the members of Finland's anti-trafficking interagency working group, Tuomioja said that Finland had been "too sanguine" in the past about human trafficking, and that the NAP was a strong signal that Finland was aware of the problem and ready to do its share along with other EU countries. Tuomioja described the NAP as a "human rights-based and victim-centered" approach aimed at preventing human trafficking, protecting and assisting victims, and ensuring that those guilty of human trafficking are prosecuted and punished.

13. (U) Johanna Suurpaa, the working group's chairperson and Director of the MFA's Human Rights Unit, told reporters that identification of TIP victims was the most difficult and important issue in the short term; the lowest possible threshold should be set as regards investigating situations where trafficking is suspected. She also said that demand reduction campaigns needed to feature as prominently as victim assistance and investigations. (Note: This was a point particularly stressed by Finnish President Halonen in the June 2003 conference on combating trafficking that was co-sponsored by the Embassy and the GoF.) Suurpaa added that a new telephone hotline would be set up in Finland for TIP victims -- or anyone else with information about suspected trafficking.

14. (U) Major Ilkka Herranen, Regional Commander of Finland's Frontier Guard, told reporters that the USG has been correct in pointing out that Finland has a problem with trafficking-in-persons. (Note: Herranen is scheduled to participate in the June 2005 European regional International Visitor program on combating trafficking in persons.)

15. (U) Members of the press asked the Finnish officials several pointed questions about the recent case in which a busload of Georgian women was stopped at the Finnish-Russian border and the passengers ultimately denied entry into the Schengen area (Ref B). Reporters wondered whether the police had acted inappropriately by taking the women into protective custody. Tuomioja and the other officials present strongly defended the police's actions, and said that investigating the suspicious situation had been the right thing to do. (Note: As reported Ref B, it was first suspected that the women were being trafficked for sexual purposes. GoF ministries drew on the as-yet-unpublished NAP to guide their response, housing the women passengers at a refugee-asylum center and interviewing them over the course of several days to attempt to determine whether they were trafficking victims, rather than returning them outright.)

A Victim-Centered Approach

16. (U) Finland's NAP is based on three principles: 1) all efforts against human trafficking must be grounded in human rights and must focus on the victim, 2) emphasis must be placed on the "gender perspective" and the particular vulnerability of women in certain trafficking situations, and 3) intra-governmental cooperation within Finland, and bilateral and multilateral cooperation among like-minded partners, are essential. The NAP covers the entire chain of

human trafficking. The need for continued government-sponsored demand reduction efforts is highlighted, as is the need to aggressively implement Finland's new anti-TIP law, enacted last August. However, the NAP's core consists of new guidelines for victim assistance. Highlights of the NAP's victim-centered approach include:

-- Temporary Residency: The EU Council Directive (2003/81/EY) -- stating that by August 6, 2006 EU members must pass legislation guaranteeing some form of temporary residency to victims -- will be enacted. It may be possible to amend Finland's current "Alien's Act" to specifically provide temporary residence for victims. TIP victims would not be returned or deported while the permit was being processed, even if they were illegally in the country. Victims would also be able to work inside Finland without having to obtain a standard labor permit. Victims would be given time before having to decide whether they wished to apply for the residency permit or return to their home country.

-- Witness Protection: A witness protection program will be set up to enable victims to testify anonymously at trials of traffickers. Protection would extend to the victims' families as well. This will require new legislation, since persons accused of any crime in Finland have the right to "face their accuser" in court, and there are no exceptions in current Finnish law for special circumstances like trafficking.

-- Housing: Certain safehouses and shelters will be dedicated for TIP victims; they will also be able to live in private dwellings if they have the resources and so choose.

-- Income/Support: Victims will have the right to earn income and receive support while in Finland.

-- Education: Victims will have the right to language training, basic literacy skills training, and vocational training.

-- Integration: The Social Affairs Ministry will be responsible for designing an integration program for victims to help them live and, if they so choose, eventually assimilate into Finnish society. Part of this will be the appointment of a National Rapporteur for Trafficking Victims.

-- Psychiatric Services: Victims will receive psychiatric services and counseling from the national health service, particularly recognizing the trauma that victims of sexual exploitation have gone through.

-- Health: Victims will eligible to use the full range of Finland's national health services.

-- Legal Assistance: Victims will have, and be advised of, the right to legal assistance and counseling.

17. (U) The NAP will now be sent by the Foreign Minister to the Council of State for adoption as GoF policy; no objections to the NAP are expected as the key ministries involved were all a part of the interagency working group that drafted the plan, and as both President Halonen and Prime Minister Vanhanen have voiced support. A new interagency working group, co-chaired by the Interior and Social Affairs Ministries, will be appointed to oversee the Plan's implementation.

Addressing the Department's Questions on

the Scope of Trafficking in Finland

18. (U) Embassy understands that there may be some confusion about the number of women entering Finland for prostitution each year. Post reported in Ref A that police and NGOs estimate there were 6000-8000 entries into Finland each year by women for prostitution. Since many women enter Finland multiple times each year to engage in prostitution, the actual number of women involved would be lower than 6000-8000; some of these might have been trafficked into the country. The 6000-8000 entry estimate, or similar estimates, have been quoted for several years in press and NGO accounts of prostitution and/or trafficking in Finland. However, no hard figures exist. While preparing this supplemental report, post pressed both GoF and NGO contacts about the accuracy of this commonly cited 6000-8000 range. Without exception, these contacts backed away from the estimate and said that there was no way to know the actual incidence of prostitution or trafficking in Finland since neither the police nor NGOs have conducted any systematic surveys. Post now believes that the previous 6000-8000 figure was more the result of self-referential feedback from government and NGO contacts than a scientific estimate.

19. (U) Finland's National Action Plan states that while the

actual incidence of TIP in Finland is unknown, there could "possibly be hundreds" of women and girls trafficked to and through Finland each year. Johanna Suurpaa, the Director of the MFA's Unit for Human Rights and chairperson of the interagency anti-TIP working group, admitted to PolOff that even this number is ultimately a guess and not based on a survey. The IOM office in Helsinki declined to speculate as to the incidence of trafficking into and through Finland. According to Lucy Laitinen, the IOM's regional anti-TIP coordinator, there has never been a systematic survey done in Finland to estimate scope or incidence. She said that the IOM had no current cases open in Finland. The IOM has submitted a proposal to the GoF to undertake a survey of trafficking in Finland.

¶10. (U) RefTel B cites new information that as many as 1500 women may have been trafficked or smuggled through Finland from Georgia since 2002. It is not known whether these women were involved with commercial sex trafficking, labor trafficking, or labor smuggling/illegal immigration, although the GoF has stated that it believes "at least some" were part of the commercial sex trade. Some Georgian officials and media have subsequently criticized the GoF for its handling of the case, claiming that the women were legitimate tourists and were victims of police discrimination.

Prostitution vs. Trafficking

¶11. (U) All Embassy contacts in Finland cite the difficulty in disaggregating prostitution from trafficking as a main reason no hard estimates exist as regards TIP. It is believed that most foreign prostitutes in Finland come from nearby countries and voluntarily enter Finland to engage in prostitution. There are a small number of known cases, such as that cited in Ref A section 18 (B) detailing a Latvian minor who was duped by traffickers into believing that she would be offered a job picking strawberries only to be forced into prostitution. Such cases may be the exception rather than the rule, however. When trafficking for purposes of sexual exploitation occurs in Finland, it is almost always because women who have become involved with organized crime syndicates find themselves coerced into continuing to work as prostitutes after their "contract" has been altered and the conditions in which they work have been changed (negatively).

According to police, such coercion may be violent, aggressive (taking away passports or threatening the victim's family), or more psychological and subtle. Finnish police cannot say how many foreign prostitutes may be subject to such coercion, thereby making them TIP victims. However, the police do report that they do not believe that a majority of foreign prostitutes in Finland are subject to such coercion. NGOs inside Finland seem to agree with this assessment. Lucy Laitinen of IOM told PolOff that the Finnish situation was "one of the most difficult" that IOM was working with as regards the disaggregation of trafficking from prostitution; as mentioned above, she would not even speculate as to the number of women possibly trafficked to and through Finland each year.

¶12. (U) As reported in Ref A, Finnish police report that there were 12 investigations in 2004 that led to multiple arrests and the break-up of prostitution rings; there were 31 total prosecutions from these cases (for pimping). Since these crimes occurred before Finland's new TIP law came on the books, it is unknown how many of these cases might actually have involved trafficking.

¶13. (U) Since Finland's new TIP law was enacted last August, three investigations into possible trafficking have been initiated and are still underway; the investigations have not yet been referred to prosecutors.

The Estonian Connection to Trafficking in Finland

¶14. (U) Finnish officials and NGOs agree that, as reported in RefTel A, most foreign prostitutes in Finland come from Russia and Estonia; the GoF and NGOs presume that this also holds for most trafficking victims, although they can provide no numbers to back this up. Major Ilkka Herranen, Regional Commander of Finland's Frontier Guard, told PolOff that he believes perhaps "75% of foreign prostitutes in Finland are Russian and 25% are from Estonia," but declined to provide actual numbers. Herranen also opined that given the ease with which Estonians can travel to and from Finland, there were probably more Russian trafficking victims than Estonian. Herranen and other Finnish authorities said that Estonian prostitutes in Finland were generally better educated and "more sophisticated" than Russian prostitutes and seemed less likely to become victims of trafficking; the Russian women were much more isolated and cut off from their home communities, whereas the Estonian women could communicate more effectively (given the close relationship of the Finnish and Estonian languages), could maintain close contact (even daily) with friends and family in Estonia via mobile phones, and were only a 90-minute ferry ride away from their

homeland. Because of this, Herranen opined that most Estonian prostitutes were associated with crime rings or were freelancers, but were not victims of trafficking.

¶15. (U) Finland's Frontier Guard reported that in 2003, 150 Estonian women were denied entry into Finland for suspicion of prostitution; most had entered Finland multiple times and made contradictory statements about their trips during secondary inspection. Some confessed to coming to Finland to work as prostitutes, although some maintained their innocence. Few women showed any inclination to cooperate with Finnish authorities, and most asked to return to Estonia on the next ferry. The Frontier Guard report only ten such cases in 2004. Herranen attributed the drop to Estonia's EU accession. He said that Estonians entering Finland are no longer subject to the same screening procedures as before, and that only extremely suspicious persons or persons already entered into Finland's law enforcement database would be questioned. Given the paucity of information about possible Estonian trafficking victims in Finland, post defers to Embassy Tallinn's reporting for more definitive information.

¶16. (U) In addition to Russia and Estonia, other countries that have been cited as possible source countries for trafficking to and through Finland in recent years include Georgia, Ukraine, Belarus, Moldova, Latvia, Lithuania, and most recently China, Thailand, and other "unspecified Asian countries." There are no numbers for how many women from these countries might have been trafficked to and through Finland other than the Georgian case detailed in Ref B and the Latvian minor mentioned in Ref A.

¶17. (U) In conclusion: Now that Finland has a National Action Plan in place, one that engages the GoF and local NGOs in victim assistance, we would expect that over time more concrete information on each of the issues raised above will develop. We also expect this process of clarification to be aided by the new U.S.-funded anti-trafficking NGO project involving an Estonian NGO with Finnish partners (Ref A para (19)(C)).
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